

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ALABAMA  
MIDDLE DIVISION

LAWRENCE WILLIAM PHILLIPS,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Case No. 4:12-cv-994-VEH-TMP
	)	
ERIC HOLDER; <i>et al</i> ,	)	
	)	
Respondents.	)	

**MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

In this action for *habeas corpus* relief under 28 U.S.C. § 2241, the petitioner, Lawrence William Phillips, seeks relief in the form of release pending his deportation to Liberia, pursuant to an order of deportation. When petitioner filed the instant action, he was being held in the Etowah County Detention Center, located within this district. The respondents on May 22, 2012, filed a motion to dismiss the action as moot, supported by evidence, asserting that the petitioner had been released and was no longer in the custody of the Department of Homeland Security. By order dated May 23, 2012, the court notified the petitioner that the petition would be treated as ripe for summary disposition and informed him of his right to provide materials in opposition. To date, no response has been filed, and the order has been returned as undeliverable.

**MOOTNESS**

At the time petitioner filed the § 2241 petition, he was confined as an immigration detainee. In the motions to dismiss the petition as moot, the respondents demonstrated through the declaration of Robert Adame that the petitioner was released on an order of supervision on May 9, 2012.

Accordingly, it appears clear that petitioner has received the relief he sought, and there is no longer any case or controversy between the parties. The petition seeking release pending deportation is therefore moot and is due to be dismissed.

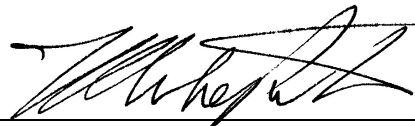
**RECOMMENDATION**

Because the instant petition is moot, the magistrate judge RECOMMENDS that the petition for writ of *habeas corpus* be DISMISSED as MOOT.

Any party may file specific written objections to this report and recommendation within fifteen (15) days from the date it is filed in the office of the Clerk. Failure to file written objections to the proposed findings and recommendations contained in this report and recommendation within fifteen (15) days from the date it is filed shall bar an aggrieved party from attacking the factual findings on appeal.

The Clerk is DIRECTED to mail a copy of this Report and Recommendation to the petitioner at his most recent known address, and to serve a copy upon the U.S. Attorney for the Northern District of Alabama.

DATED this 22<sup>nd</sup> day of June, 2012.

A handwritten signature in black ink, appearing to read 'T. Michael Putnam', is written over a horizontal line.

T. MICHAEL PUTNAM  
U.S. MAGISTRATE JUDGE